

UNITED STATES DISTRICT COURT

Northern District of California

San Francisco

NOE SOLIS GARCIA, ET AL.,

No. C 11-02047 LB

Plaintiff(s),

v.

**ORDER REGARDING PRETRIAL
CONFERENCE SET FOR OCTOBER
24, 2012**

MARIO BANA, ET AL.,

Defendant(s).

Plaintiff originally demanded a jury trial in this actions it. Accordingly, the court's original case management and pretrial order, issued on October 27, 2011, contained the pretrial requirements for a jury trial. *See* 10/27/2011 Order, ECF No. 16. But at the hearing on June 7, 2012, Plaintiffs' counsel, Adam Wang, stated that Plaintiffs would withdraw their jury demand, and Defendants' counsel, Tyler Paetkau, agreed. Plaintiffs' jury demand, then, was properly withdrawn. 6/7/2012 Minute Order, ECF No. 45. The court subsequently issue an order on June 11, 2012, making clear that any trial in this action shall be a bench trial. 6/11/2012 Order, ECF No. 48.

However, the court neglected to issue a new case management and pretrial order that contains the pretrial requirements for a bench trial. A copy of that case management and pretrial order is attached. The pretrial requirements for a bench trial differ in certain respects from those for a jury trial. For example, for a bench trial, the parties must file a document titled a "Joint Proposed Findings of Fact and Conclusions of Law and Each Side's Separate Disputed Proposed Findings of Fact and Conclusions of Law." This document includes conclusions of law that rely on substantive

1 law instructions from the Ninth Circuit Manual of Model Civil Jury Instructions (2007) (available at
2 <http://www.ce9.uscourts.gov>), California Civil Jury Instructions (CACI), or other applicable
3 instructions should cite those instructions and clearly identify any modifications to the instructions.
4 All conclusions of law -- disputed or undisputed -- shall be supported by citation (including pin
5 cites) in the format used by the Ninth Circuit Manual. The parties also must file "Separate
6 Memoranda on Conclusions of Law," regarding disputed conclusions of law.

7 Neither party in this action filed these documents. So, to give the parties some warning, the
8 court alerts counsel that they should be prepared to discuss, at the pretrial conference on October 24,
9 2012, the information that would go into these documents and a timeline for their submission.

10 **IT IS SO ORDERED.**

11 Dated: October 23, 2012

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13 LAUREL BEELER
14 United States Magistrate Judge
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